

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA) DOCKET NO. 3:10-cr-87-MOC
)
)
)
) **GOVERNMENT'S RESPONSE TO**
v.) **DEFENDANT'S MOTION FOR MENTAL**
) **EVALUATION**
ADRIAN PARKER)

NOW COMES the United States of America, by and through Anne M. Tompkins, United States Attorney for the Western District of North Carolina, and responds to Defendant Adrian Parker's counsel's "Motion to Determine Mental Competency of Defendant" filed today, December 22, 2010.

The defense Motion requests that Dr. Cedar O'Donnell, a local psychologist, conduct the competency evaluation. However, the Government requests that the defendant undergo a formal psychiatric/psychological examination by a qualified psychiatrist or psychologist of the United States Bureau of Prisons (BOP), consistent with the procedures set forth in 18 U.S.C. § 4247.

Pursuant to Section 4247(b) the court may order a psychiatric or psychological examination be conducted "by a license or certified psychiatrist or psychologist, or, if the court finds it appropriate, by more than one such examiner." Thus, we request that the Court order that the Defendant be examined by a BOP psychiatrist or psychologist, whether or not the Court also selects Dr. O'Donnell to conduct an examination.

The undersigned AUSA has conferred with defense counsel about this Response.

Respectfully submitted this 22nd day of December 2011.

ANNE M. TOMPKINS
UNITED STATES ATTORNEY

/s/ Steven R. Kaufman
STEVEN R. KAUFMAN
ASSISTANT UNITED STATES ATTORNEY
227 West Trade Street, Suite 1700
Charlotte, NC 28202
(704) 338-3117 (phone)
(704) 227-0254 (facsimile)
Steven.Kaufman@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December 2011, the foregoing was duly served upon the defendant herein, by electronic means, to:

Haakon Thorsen, Esq.
thorsenlawoffice@gmail.com

/s/ Steven R. Kaufman
STEVEN R. KAUFMAN
ASSISTANT UNITED STATES ATTORNEY